

Remarks/Arguments

Claims 1-12 are pending.

Rejection of Claims 1-12 under 35 USC 103(a) as being unpatentable over Humpleman et al. (US 6,198,479).

Applicants respectfully submit that for the reasons discussed below present claims 1-12 are patentably distinguishable over the teachings of Humpleman.

According to the Examiner (pages 4 to 6 of the Office Action), Humpleman discloses all features of claim 1, except the limitation that the control device is adapted to use descriptors of a plurality of appliances to aggregate appliance control functions of the same type for a plurality of appliances, in order to display aggregated functions on a single markup language page.

However, according to the Examiner it would have been a simple matter of choice for one skilled in the art to display control functions of two devices on a page. According to the Examiner, it would have been a matter of choice of selecting two devices of the same kind (e.g. two TVs, instead of the TV and DVD of figure 11) to obtain the invention of claim 1.

Claim 1 recites that it is the control device that recognizes the fact that control functions are of the same type. Claim 1 has been further amended to more clearly recite that the control device uses the aggregated control functions of the plurality of appliances based on the recognition. These recitations should clarify any potential misunderstanding about who or what selects the functions of the same type for aggregation and display. The Examiner's objection seems to be based mainly on the possibility of having a user select manually for simultaneous display the user interfaces of two devices of the same type.

In addition to the amendment, it must be noted that the simultaneous display of user interfaces for two devices as in Fig. 11 of Humpleman is made mainly to facilitate setting up the communication between these two devices (see e.g. col. 17, lines 57 to 62). The example of figure 1 shows a video source (DVD) and a video sink (TV). These are not typically devices having similar control functions. Applicants submit that Humpleman appears to teach away from displaying the user interfaces of two similar devices, e.g. two TVs, since establishing a connection between two TVs does not seem very useful in the

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context of Humpleman (i.e. two TVs are two sinks). Thus applicants submit that Humpleman does not suggest, or provide an incentive for, an aggregated display of, say, several 'volume controls' or several 'play' functions as suggested by the Examiner. In fact, applicants submit that Humpleman teaches away from the choice suggested by the Examiner (i.e. selecting two TVs), because it is the whole purpose of the double display to establish a connection between the two selected devices.

Furthermore, the user interfaces for different devices are displayed separately in Humpleman. No analysis of the control functions of these user interfaces is carried out. They are simply displayed, and the device disclosed by Humpleman does not actively analyze the contents of the user interfaces of different devices to determine whether or not similar control functions exist. Thus the device Humpleman cannot provide, as does the claimed device, an aggregation of control functions of the same type for different devices as claimed since the device of Humpleman does not care about what control functions actually appear in a menu.

Also, it is specifically mentioned in col. 8 lines 20 to 23 of Humpleman that the 'look and feel' of the graphical user interface of a device displayed by the 'client' (i.e. the device running the browser) originates with the attached server (i.e. the device to be controlled – see col. 7, line 15). This clearly indicates that in the system according to Humpleman the client is not supposed to tamper with the graphical user interface as provided by a given device of the network and consequently teaches away from the feature of a control device aggregating control functions belonging to different devices in the network.


For the above reasons, applicants respectfully submit that amended claim 1 is patentably distinguishable over the teachings of Humpleman. Applicants further submit that the further cited teachings of Humpleman fail to cure the defect of Humpleman as applied to claim 1. Therefore, applicants submit that claims 2-3, and 5-7, which depend from claim 1, are also patentably distinguishable over the teachings of Humpleman.

Claims 8 and 10 recite similar limitations as those discussed above in method form. Thus, applicants submit that claims 8 and 10, and the claims that

depend therefrom, are patentably distinguishable over the teachings of Humpleman for at least the same reasons as those discussed above.

Having fully addressed the Examiner's rejections, Applicants submit that the present application is in condition for allowance and respectfully request such action. No fee is believed due in regard to the present amendment. However, if a fee is due, please charge the fee to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop FEE AMENDMENT], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

April 1, 2004
Date


Davida Fornarotto